

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

In re:) Case No. 19-47261-705
SANDRA L. JOST,) Honorable Charles E. Rendlen, III
Debtor.) Chapter 7
)
) **TRUSTEE’S LIMITED OBJECTION**
) **TO THE MOTION FOR RELIEF FROM**
) **AUTOMATIC STAY**

TRUSTEE’S LIMITED OBJECTION TO THE
MOTION FOR RELIEF FROM AUTOMATIC STAY

COMES NOW David A. Sosne, Chapter 7 Trustee for the Debtor, and for his Limited
Objection to the Motion for Relief from Stay filed by Bank of America, N.A., states to the Court
as follows:

1. Sandra L. Jost (the “Debtor”) filed a Voluntary Petition for Relief pursuant to Chapter 7 of the Bankruptcy Code on or about November 21, 2019. David A. Sosne was appointed as Chapter 7 Trustee (“Trustee”) of Debtor’s bankruptcy estate on or about said date.
2. Bank of America, N.A. (“Movant”) filed its Motion to Lift Stay (the “Motion”) on December 26, 2019. The Motion seeks relief from stay to foreclose on real estate located at 1451 Selma Ave., St. Louis, MO 63119 (the “Property”) and asserts that the Movant is not adequately protected and will suffer irreparable injury, loss, and damage if it is not granted relief from the stay.
3. The Motion indicates that there is no equity in the Property, but Trustee believes there may be equity sufficient to justify administration.
4. As of the date of this filing, Trustee has not yet obtained an independent valuation of the Property, though Trustee request that the Debtor contact his Real Estate Agent for an

inspection and appraisal of the Property. At present, Trustee is waiting to hear back from his realtor as to the completion of the inspection and value.

5. In light of the foregoing, Trustee believes that granting relief from the automatic stay in this case would be premature at best and, based on preliminary estimates, inappropriate due to the apparent equity in the property. Trustee submits that a sale of the property by the estate would pay the Bank in full and provide a distribution to unsecured creditors.

6. In the event the Trustee discovers the bankruptcy estate has no interest in the Property prior to the hearing date, he shall withdraw this Objection. Similarly, Trustee reserves the right to supplement this objection as he conducts further due diligence.

WHEREFORE, the Trustee prays that this Honorable Court deny the Motion, without prejudice, allow the Trustee to complete his investigation of the Property, to perform his due diligence, and potentially to sell the Property for the benefit of creditors, and grant such further relief as may be just and proper.

Respectfully Submitted,
SUMMERS COMPTON WELLS LLC

Date: January 13, 2020

By: /s/ Brian J. LaFlamme
Brian J. LaFlamme, #49776MO
Attorney for Trustee
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CERTIFICATE OF SERVICE

I certify that a true and correct copy of the foregoing document was filed electronically on January 13, 2020 with the United States Bankruptcy Court for the Eastern District of Missouri and has been served on the parties in interest via e-mail by the Court's CM/ECF System as listed on the Court's Electronic Mail Notice List. I further certify that a true and correct copy of the foregoing document has also been served by Regular United States Mail Service, first class, postage fully pre-paid, addressed to those parties listed below on January 13, 2020:

Sandra L. Jost
1451 Selma Ave
Saint Louis, MO 63119

Bank of America
P.O. Box 851001
Dallas, TX 75285

Bank of Ameica Visa
P.O. Box 15019
Wilmington, DE 19850-5019

Bank of Ameica-Missouri Nurses Assoc
P.O. Box 851001
Dallas, TX 75285

Bank of America, N.A.
P.O. Box 650070
Dallas, TX 75265-0070

Discover
P.O. Box 6103
Carol Stream, IL 60197

McNeile & Pappas pc
7500 West 110th St.
Suite 110
Overland Park, KS 66210

McNeile Pappas Pc
4601 College Blvd
Suite 200
Leawood, KS 66211

Millsap & Singer, LLC
612 Spirit Drive
St. Louis, MO 63005

Date: January 13, 2020

/s/ Marquita Monroe